

JS 44C/SDNY  
REV. 5/2010

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

## PLAINTIFFS

Dana H. Fox

## DEFENDANTS

Motors Liquidation Company

## ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

## ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)Has this or a similar case been previously filed in SDNY at any time? No  Yes  Judge Previously AssignedIf yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

## (PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

09-50026 #10881

## ACTIONS UNDER STATUTES

CONTRACT	TORTS		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
	PERSONAL INJURY	PERSONAL INJURY	ITEM	DESCRIPTION	ITEM	DESCRIPTION	ITEM	DESCRIPTION
110 INSURANCE	[ ] 310 AIRPLANE	[ ] 362 PERSONAL INJURY - MED MALPRACTICE	[ ] 610	AGRICULTURE	X	422 APPEAL	[ ] 400	STATE REAPPORTIONMENT
120 MARINE	[ ] 315 AIRPLANE PRODUCT LIABILITY	[ ] 365 PERSONAL INJURY PRODUCT LIABILITY	[ ] 620	OTHER FOOD & DRUG	[ ] 1423	WITHDRAWAL 28 USC 158	[ ] 410	ANTITRUST
130 MILLER ACT	[ ] 320 ASSAULT, LIBEL & SLANDER	[ ] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[ ] 625	DRUG RELATED SEIZURE OF PROPERTY	[ ] 1428	28 USC 157	[ ] 430	BANKS & BANKING
140 NEGOTIABLE INSTRUMENT	[ ] 330 FEDERAL EMPLOYERS' LIABILITY	[ ] 630 LIQUOR LAWS	[ ] 630	PROPERTY RIGHTS	[ ] 450	COMMERCE	[ ] 460	DEPORTATION
150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[ ] 340 MARINE PRODUCT LIABILITY	[ ] 640 RR & TRUCK	[ ] 640	RR & TRUCK	[ ] 470	RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)	[ ] 480	CONSUMER CREDIT
151 MEDICARE ACT	[ ] 345 MARINE PRODUCT LIABILITY	[ ] 650 AIRLINE REGS	[ ] 650	SAFETY/HEALTH	[ ] 490	CABLE/SATELLITE TV	X	SELECTIVE SERVICE
152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	[ ] 350 MOTOR VEHICLE	[ ] 660 OCCUPATIONAL SAFETY/HEALTH	[ ] 660	TRADEMARK	[ ] 850	SECURITIES/ COMMODITIES/ EXCHANGE	[ ] 860	SEcurities/ CHALLENGE
[ ] 355 MOTOR VEHICLE	[ ] 370 OTHER PERSONAL PROPERTY	[ ] 690 OTHER	[ ] 690	SOCIAL SECURITY	[ ] 875	CUSTOMER CHALLENGE	[ ] 880	12 USC 3410
[ ] 360 OTHER PERSONAL INJURY	[ ] 371 TRUTH IN LENDING	[ ] 710 FAIR LABOR STANDARDS ACT	[ ] 710	HIA (1395ff)	[ ] 880	OTHER STATUTORY ACTIONS	[ ] 890	AGRICULTURAL ACTS
[ ] 365 PRODUCT LIABILITY	[ ] 372 OTHER PERSONAL PROPERTY DAMAGE	[ ] 720 LABOR/MGMT RELATIONS	[ ] 720	BLACK LUNG (923)	[ ] 883	ECONOMIC STABILIZATION ACT	[ ] 891	ENVIRONMENTAL MATTERS
[ ] 380 PROPERTY DAMAGE	[ ] 385 PROPERTY DAMAGE	[ ] 730 LABOR/MGMT REPORTING & DISCLOSURE ACT	[ ] 730	DIWC/DIW (405(g))	[ ] 884	ENERGY ALLOCATION ACT	[ ] 892	INFORMATION ACT
[ ] 385 PRODUCT LIABILITY	[ ] 386 PROPERTY LIABILITY	[ ] 740 RAILWAY LABOR ACT	[ ] 740	SSID TITLE XVI	[ ] 885	FREEOM OF INFORMATION ACT	[ ] 893	APPEAL OF FEE DETERMINATION
[ ] 390 OTHER CONTRACT	[ ] 395 CONTRACT PRODUCT LIABILITY	[ ] 790 OTHER LABOR LITIGATION	[ ] 790	RSI (405(g))	[ ] 886	UNDER EQUAL ACCESS TO JUSTICE	[ ] 894	CONSTITUTIONALITY OF STATE STATUTES
[ ] 195 CONTRACT	[ ] 196 FRANCHISE	[ ] 791 EMPL RET INC SECURITY ACT	[ ] 791	TAXES (U.S. Plaintiff or Defendant)	[ ] 871	IRS-THIRD PARTY 26 USC 7609	[ ] 895	TO JUSTICE
LIABILITY	ACTIONS UNDER STATUTES							
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS						
210 LAND CONDEMNATION	[ ] 441 VOTING	[ ] 510 MOTIONS TO VACATE SENTENCE		IMMIGRATION				
220 FORECLOSURE	[ ] 442 EMPLOYMENT	[ ] 520 20 USC 2255						
230 RENT LEASE & EJECTMENT	[ ] 443 HOUSING/ ACCOMMODATIONS	[ ] 530 HABEAS CORPUS		NATURALIZATION APPLICATION				
240 TORTS TO LAND	[ ] 444 WELFARE	[ ] 535 DEATH PENALTY		HABEAS CORPUS- ALIEN DETAINEE				
245 TORT PRODUCT LIABILITY	[ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 540 MANDAMUS & OTHER		OTHER IMMIGRATION ACTIONS				
[ ] 290 ALL OTHER REAL PROPERTY	[ ] 446 AMERICANS WITH DISABILITIES - OTHER	[ ] 550 CIVIL RIGHTS						
	[ ] 440 OTHER CIVIL RIGHTS	[ ] 555 PRISON CONDITION						

Check if demanded in complaint: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND:  YES  NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN 'x' IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2a. Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Judgment
<input type="checkbox"/> 2b. Removed from State Court AND at least one party is pro se.						

(PLACE AN 'x' IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input checked="" type="checkbox"/> 3 FEDERAL QUESTION (U.S. NOT A PARTY)	<input type="checkbox"/> 4 DIVERSITY
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IF DIVERSITY, INDICATE CITIZENSHIP BELOW.  
(28 USC 1322, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input type="checkbox"/> 11 <input checked="" type="checkbox"/> 1	DEF <input type="checkbox"/> 11	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> 13 <input checked="" type="checkbox"/> 13	DEF <input type="checkbox"/> 13	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 15 <input checked="" type="checkbox"/> 15	DEF <input type="checkbox"/> 15
CITIZEN OF ANOTHER STATE	PTF <input type="checkbox"/> 12 <input checked="" type="checkbox"/> 12	DEF <input type="checkbox"/> 12	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	PTF <input type="checkbox"/> 14 <input checked="" type="checkbox"/> 14	DEF <input type="checkbox"/> 14	FOREIGN NATION	PTF <input type="checkbox"/> 16 <input checked="" type="checkbox"/> 16	DEF <input type="checkbox"/> 16

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN  
(DO NOT check either box if this a PRISONER PETITION.)

DATE 12/13/2011 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[ ] YES (DATE ADMITTED Mo. \_\_\_\_\_ Yr. \_\_\_\_\_)  
Attorney Bar Code #

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)